

INTERVENTION

ORIGINAL



0000003128

Richard L. Sallquist (002677)
Sallquist & Drummond, P.C.
2525 East Arizona Biltmore Circle
Suite 117
Phoenix, Arizona 85016-2129
(602) 224-9222
Attorneys for Sonoran Utility Services, L.L.C.

RECEIVED

2003 AUG 28 P 4: 50

AZ CORP COMMISSION
FACILITY CONTROL

BEFORE THE ARIZONA CORPORATION COMMISSION

IN THE MATTER OF THE APPLICATION
OF PALO VERDE UTILITIES COMPANY
FOR AN EXTENSION OF ITS EXISTING
CERTIFICATE OF CONVENIENCE AND
NECESSITY.

DOCKET NO. SW-03575A-03-0586

IN THE MATTER OF THE APPLICATION
OF SANTA CRUZ WATER COMPANY FOR
AN EXTENSION OF ITS EXISTING
CERTIFICATE OF CONVENIENCE AND
NECESSITY.

DOCKET NO. W-03576A-03-0586

MOTION FOR LEAVE TO INTERVENE

Sonoran Utility Services, L.L.C. ("Sonoran"), by and through their undersigned counsel,
hereby moves the Commission pursuant to Arizona Rules of Civil Procedure and Commission
Rule A.A.C. R14-3-105, for leave to intervene in the captioned proceeding for the reasons set
forth in the attached Memorandum of Points and Authorities.

Respectfully submitted this 29th day of August, 2003

SALLQUIST & DRUMMOND, P.C.

Arizona Corporation Commission

DOCKETED

AUG 28 2003

DOCKETED BY	
-------------	--

By
Richard L. Sallquist
2525 East Arizona Biltmore Circle, Suite 117
Phoenix, Arizona 85016
Attorney for Sonoran Utility Services, L.L.C.

1 **Memorandum of Points and Authorities**

2 1. On August 27, 2003 Sonoran filed a Motion for Leave to Intervene in the subject
3 Docket. On August 28, 2003 Sonoran filed a Notice of Withdrawal of that Motion. Sonoran
4 hereby files this Motion to clarify the representation of Sonoran and undersigned counsel in this
5 matter.

6 2. 387 Domestic Water Improvement District and 387 Wastewater Improvement District
7 are Arizona municipal corporations duly formed under the laws of Arizona as county
8 improvement districts. Both Districts were formed on May 21, 2003.

9 3. Sonoran, nor the undersigned counsel, have in the past or presently, represent Pinal
10 County or the Districts.

11 4. Owners of certain of the parcels (the "Contested Parcels") that are the subject of this
12 Application have signed petitions to be included within the respective districts, and have been so
13 included.

14 5. The Districts have contracted with Sonoran to manage the organization and operation
15 of the Districts' business within their authorized boundaries (the "Contract Area") under
16 Management Services Agreements between the Districts and Sonoran, as approved by the
17 Districts on June 25, 2003.

18 6. The Districts have been notified of the subject Application and have been advised that
19 Sonoran would, pursuant to the Management Services Agreements, seek intervention in the
20 Application in opposition to the Commission unlawfully issuing a Certificate of Convenience
21 and Necessity for the Contested Parcels that are within the Contract Area.

22 7. The Contested Parcels constitute a significant portion of the Contract Area and any
23 attack, or apparent attack, on Sonoran's ability to serve those areas will materially and adversely

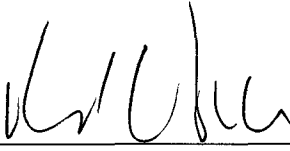
1 impact on Sonoran's operating economics, on the water and wastewater customers, and on
2 Sonoran's contract with the Districts. Sonoran is ready, willing and able to provide water and
3 wastewater service to the Contested Parcels.

4 8. Sonoran's interests are directly and substantially affected by these proceedings.
5 Those interests in this matter are not represented by any other party or intervener in this
6 proceeding. The requested intervention will not unduly broaden the issues heretofore presented,
7 except on leave of the Commission first had and received.

8 WHEREFORE, in view of the foregoing, Sonoran respectfully requests that the
9 Commission grant Sonoran's request for leave to intervene in the instant proceeding, and that
10 Sonoran be accorded the full status of an intervener under the Commission's Rules and
11 Regulations.

12 Respectfully submitted this 22nd day of August, 2003.

13 SALLQUIST & DRUMMOND, P.C.

14
15 By 
16 Richard L. Sallquist
17 2525 East Arizona Biltmore Circle, Suite 117
18 Phoenix, Arizona 85016
19 Attorney for Sonoran Utility Services, L.L.C.

20 Original and 15 copies of the
21 foregoing filed this 22nd day
22 of August, 2003, with:

23 Docket Control
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

Copies of the foregoing filed this
22nd day of August, 2003, to:

1 Dwight Nodes
Administrative Law Judge
2 Arizona Corporation Commission
1200 West Washington
3 Phoenix, Arizona 85007

4 Jay Shapiro
Fennemore Craig
5 3003 N. Central Ave., Suite 2600
Phoenix, Arizona 85012
6
7 Brent D. Butcher
3975 S. Highland Drive, #6
Salt Lake City, Utah 84124
8
9 Kent A. Hogan
3799 E. Catamount Ridge Way
Sandy, Utah 84092
10
11 Christopher Kemply, Chief Counsel
Legal Division
Arizona Corporation Commission
12 1200 West Washington
Phoenix, Arizona 85007
13
14 Ernest Johnson, Director
Utilities Division
Arizona Corporation Commission
15 1200 West Washington
Phoenix, Arizona 85007
16
17 William McLean
PO Box 887
Florence, Arizona 85232